

Rec'd PCT/PTO 26 APR 2006

PTO-1390 (Rev. 02-2005)

Approved for use through 03/31/2007. OMB 0651-0021

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 6580P0040US
INTERNATIONAL APPLICATION NO. PCT/EP2004/004982	INTERNATIONAL FILING DATE May 10, 2004	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/556140
TITLE OF INVENTION Sample Depositing Device For A Cell Sorter		PRIORITY DATE CLAIMED May 9, 2003
APPLICANT(S) FOR DO/EO/US Müller, et al.		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

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U.S. APPLICATION NO. (if known, see 37 CFR 1.6)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/556140		PCT/EP2004/004982		6580P0040US	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee				\$	
22. <input type="checkbox"/> Examination fee					
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)				\$	
All other situations				\$	
23. <input type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority				\$	
International Search Report prepared and provided to the Office				\$	
All other situations				\$	
TOTAL OF 21, 22 and 23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	=		x 50.00	\$	
Independent claims	=		x 200.00	\$	
MULTIPLE DEPENDENT CLAIM(s) (if applicable) 0			+ 360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/3.				\$	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				+	\$
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$	
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2970. A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.485 has not been met, a petition to revive (37 CFR 1.437 (a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
The Law Office of Randall T. Erickson, PC 425 W. Wesley St., Suite 1, Wheaton, IL 60187					
				SIGNATURE:	
				Randall T. Erickson	
				NAME	
CUSTOMER NUMBER: 41528				33,872	
				REGISTRATION NUMBER	

Rec'd PCT/PTO 26 APR 2006

**THE LAW OFFICE OF
RANDALL T. ERICKSON, PC
INTELLECTUAL PROPERTY ATTORNEY**

FACSIMILE TRANSMITTAL SHEET

TO:

US/RO

FROM:

Randall T. Erickson

COMPANY:

USPTO

DATE:

April 26, 2006

FAX NUMBER:

703-305-3230

TOTAL NO. OF PAGES INCLUDING COVER:

10

RTE REFERENCE NO.:

6580P0040US

YOUR REFERENCE NO.:

PCT/EP2004/004982

RE: Declaration and Power of Attorney

NOTES/COMMENTS:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UNITED STATES RECEIVING OFFICE (RO/US)

Applicant: Müller, et al.
Int'l Application No.: PCT/EP2004/004982
Int'l Filing Date: May 10, 2004
For: Sample Depositing device For A Cell Sorter
Atty. Docket No. 6580P0040US

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313
Attn: US/RO

CERTIFICATE OF FACSIMILE

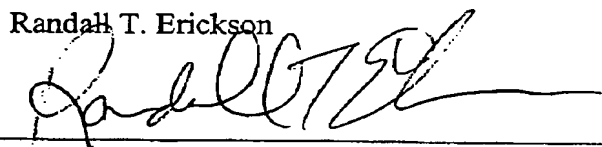
Date of Fax: April 26, 2006

I hereby state that the following *attached* papers or fees

Transmittal Letter Under 35 USC 371 (2 pages)
Declaration and Power of Attorney (6 pages)

are being faxed to the Commissioner for Patents at (703) 305-3230 on the date indicated above.

Randall T. Erickson



Signature of person faxing papers